

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA
3

4 IN RE: PROCESSED EGG PRODUCTS: MDL NO. 2002
5 ANTITRUST LITIGATION 08-MDL-02002

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7 PHILADELPHIA, PA

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9 DECEMBER 2, 2019

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12 BEFORE: THE HONORABLE GENE E.K. PRATTER, J.
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15 TRANSCRIPT OF TRIAL PROCEEDINGS

16 DAY 18

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(Transcript produced by mechanical shorthand via C.A.T.)

EXHIBIT C

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1 A. If I heard it --

2 Q. Let me ask it again. You have not concluded, you have
3 not concluded or you're not offering an opinion that any given
4 producer is actually an alleged co-conspirator in this case,
5 correct?

6 A. Yeah, I'm not -- I'm not a fact witness. I'm not privy
7 to who might have signed what documents, who might have been
8 present in what meetings. I, you know, evaluated the record,
9 and saw, you know, saw records -- saw documentary -- I'll use
10 the term "evidence" with a small E, as an economist --

11 Q. Um-hum.

12 A. -- of individuals being at meetings and so forth, but I'm
13 not here to testify on people's presence at meetings or
14 anything like that. And therefore, I've got no idea, you
15 know, who is -- is responsible other than, you know, the
16 allegations in this case and the role that the UEP played as a
17 trade association.

18 Q. And you testified towards the end of your examination
19 about USEM exports, and I just want to sort of be clear. That
20 you've also called USEM exports short-term measures, correct?

21 A. That's correct.

22 Q. And that -- I think you've testified before that any
23 effect it would have had would have been very short-lived
24 about a month between, maybe, when they were announced and
25 when they were -- actually took place, correct?

1 A. Yeah, that's -- I mean, that's exactly what I've
2 estimated there is, that month, the price impact during that
3 month.

4 Q. Right.

5 A. And I think there was only a handful of those, yeah,
6 that's correct.

7 Q. Right. And that, in other words, the price would not
8 have been sustained any longer than that month was your
9 testimony, I believe?

10 A. Based on the ones that I was able to collect data and
11 actually examine the effect, that's correct.

12 Q. Okay. Now, you've testified that there were
13 communications and the like going back into the 1990s,
14 correct?

15 A. That's correct.

16 Q. Okay. Now, so -- and you are aware that there's an
17 allegation that the conspiracy started by at least May 15,
18 2000, correct?

19 A. I've seen a number of allegations and I've seen a number
20 of documents related to when communications began and so
21 forth.

22 Q. Okay. Well, are you aware that your counsel has
23 represented to the Court that the alleged conspiracy happened
24 by at least May 15, 2000?

25 A. Again, I haven't -- that's not implausible to me, but